

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

IN RE: : **Bankruptcy No. 20-10238-TPA**
Megan N. Kerr, :
 Debtor : **Chapter 13**
 : :
Megan N. Kerr, : **Docket No. 39**
 Movant :
 : : **Hearing Date & Time: October 14, 2020**
 v. : : **10:00 AM**
 : :
Quicken Loans, LLC, :
 Respondent :

**OBJECTION TO NOTICE OF POSTPETITION MORTGAGE FEES,
EXPENSES AND CHARGES**

AND NOW comes the Debtor, Megan N. Kerr, by and through her attorney, Kenneth P. Seitz, Esquire, of the Law Offices of Kenny P. Seitz and files the within Objection to Notice of Post-Petition Mortgage Fees, Expenses and Charges and in support of averas as follows:

1. The Debtor, Megan N. Kerr, an adult individual currently utilizing the mailing address of P.O. Box 43, Sligo, Pennsylvania 16255.
2. The Movant is the Debtor in the above-captioned bankruptcy case.
3. Respondent, Quicken Loans Inc., is a financial institution in the state of Pennsylvania, with a mailing address of 1050 Woodward Avenue, Detroit, Michigan 48226. The Respondent is being represented by James C. Warmbrodt, Esquire, KML Law Group, P.C., 701 Market Street, Suite 5000, Philadelphia, Pennsylvania 19106.
4. The Debtor commenced this case on March 20, 2020 by filing a voluntary petition for relief under chapter 13 of Title 11 of the United States Code.
5. On or about August 17, 2020, the Respondent filed with this Court a Notice of Post-Petition Mortgage Fees, Expenses and Charges alleging that the Fees were incurred because:
 1. Attorney Fees (Plan Review)
 2. Bankruptcy/Proof of Claim Fees

6. The first fee seems excessive because the Debtor is surrendering the real estate.
7. The second fee seems excessive due to the loan being in loss mitigation with the estranged husband, the proof of claim filed was already completed and actually has the estranged husband's name; claim part 2. The estranged husband's bankruptcy case number is 19-10852-TPA.
8. There should be no fee when loans are in loss mitigation as it is a program to help both parties and why should the Co-Debtor be penalized.
9. The Respondent has filed with this Court a Notice of Post-Petition Mortgage Fees, Expenses and Charges alleging that the fees are a total of Six Hundred Fifty Dollars (\$650.00).
10. The Debtor is surrendering the real estate and avers that the fees are excessive and should be disallowed.

WHEREFORE, the Debtor prays that this Court enter an order for the following:

- A. Holding that the Notice of Post-Petition Mortgage Fees, Expenses and Charges are disallowed.
- B. The Respondent be and is required to provide proof that the records have been adjusted to remove the disallowed charges.
- C. For such additional or alternative relief as may be just and proper.

Respectfully submitted,

Date: September 8, 2020

/s/ Kenneth P. Seitz, Esquire
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